

DOCKET FILE COPY ORIGINAL

Letter of Appeal to FCC  
Ref. Edgecombe Co. School District Appeal

Date: July 11, 2002

To: Letter of Appeal  
Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street, SW  
Washington, DC 20554

Reference: Docket Nos. 96-45 and 97-21

From: Patsy Vickers  
Edgecombe County School District

Subject: Appeal FCD Letter Dated May 7, 2002  
Appeal USAC Decision Letter Dated July 1, 2002  
Applicant – Edgecombe County School District  
471 Application Number – 310704  
Funding Year 5 (7/01/2002 – 06/30/2003)  
FRN – 811378  
811400  
811441  
Services Ordered – Telecommunications

The purpose of this letter is to file an appeal for the Funding Commitment Decision (FCD) as outlined above. The Funding Commitment Decision Explanation given was as follows:

Invalid Telecom Provider – Telecommunications service from a provider that  
Does not provide telecommunications on a common carriage basis.

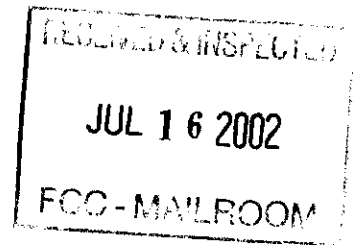
**The service provider we use is GSIwave.com (SPIN 143023740), a wholly owned subsidiary of Global Systems, Inc. (SPIN 143005759). The SPIN number on the above FRNs should have been 143023740 instead of 143005759.**

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ADMINISTRATIVE OFFICES

P O Box 7128 - 412 PEARL STREET - TARBORO NC 27886 - TELEPHONE 252-641-2600 - FACSIMILE 252-641-5714  
WEB SITE: <http://schools.eastnet.ecu.edu/edgecomb/>

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Edgecombe County Schools  
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An appeal was sent to Schools and Libraries Division on May 13, 2002. We received notification in a letter dated July 1, 2002 that our appeal was denied because "the telecommunications provider you selected is not eligible to receive universal service support because it does not provide telecommunications services." However, in my conversation with Keith Goldstein from SLD Technical Client Service Bureau, he confirmed that **GSIwave.com (SPIN 143023740)** is an approved telecommunications carrier.

Could you please review our situation and reconsider since the service provider is the same. The contact for questions is listed below. Thank you.

Contact: Patsy Vickers  
Edgecombe County School District  
412 Pearl Street  
Tarboro, NC 27886  
Phone 252-641-2619  
Fax: 252-641-5714  
Email: pvickers@coastalnet.com

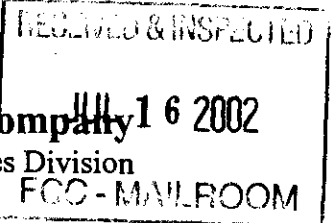
Sincerely,

A handwritten signature in cursive script that reads "Patsy Vickers".

Patsy Vickers  
Director of Technology



Universal Service Administrative Company  
Schools & Libraries Division



**Administrator's Decision on Appeal - Funding Year 2002-2003**

July 1, 2002

Patsy Vickers, Director of Technology  
Edgecombe County Schools  
P.O. Box 7128, 412 Pearl Street  
Tarboro, NC 27886

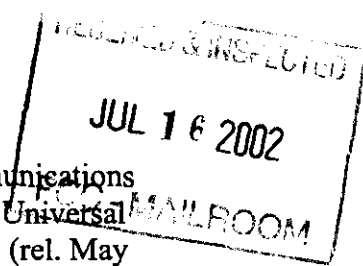
Re: Billed Entity Number: 126904  
471 Application Number: 310704  
Funding Request Number(s): 811378, 811400, 811441  
Your Correspondence Dated: May 13, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Five Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 811378, 811400, 811441  
Decision on Appeal: **Denied in full**  
Explanation:

- Your appeal letter states that an error was made regarding the SPIN number on your application. Your service provider is GSIwave.com and the SPIN number should be 143023740.
- Your Form 471 indicates that you selected an ineligible telecommunications provider: Global Systems, Inc. FCC regulations provide that only telecommunications carriers are eligible for universal service support. *See 47 C.F.R. § 54.501(a).* FCC regulations define telecommunications carriers as any provider of telecommunications services, and telecommunications services as "the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used." 47 C.F.R. § 54.5(g), (h). Because this mirrors the common law definition of a "common carrier," the FCC has determined that to be eligible to

receive universal service support, the provider must provide telecommunications services on a common carrier basis. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 ¶ 134 (rel. May 8, 1997).



- SLD's review of your application determined that the telecommunications provider you selected is not eligible to receive universal service support because it does not provide telecommunications services on a common carrier basis. You did not demonstrate in your appeal that the telecommunications provider you selected is an eligible provider. The original support documentation presented with your application lists Global System Inc as the service provider and lists the SPIN number as 143005759. Consequently, SLD denies your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, [www.sl.universalservice.org](http://www.sl.universalservice.org).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company